

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARIA E. TERRAZAS and
GERMAN GOMEZ-SALAS,

Defendants.

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8:12CR301

ORDER

This matter is before the court on the motion to continue by defendant Maria E. Terrazas (Terrazas) (Filing No. 54). Terrazas seeks a continuance of the trial of this matter which is scheduled for February 19, 2013. Terrazas filed an affidavit wherein Terrazas represents that she consents to the motion and acknowledges she understands the additional time may be excludable time for the purposes of the Speedy Trial Act (Filing No. 55). Terrazas' counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Terrazas' motion to continue trial (Filing No. 54) is granted.
2. Trial of this matter as to both defendants, Terrazas and Gomez-Salas, is re-scheduled for **March 4, 2013**, before Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **January 29, 2013, and March 4, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 29th day of January, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge